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### FACSIMILE COVER SHEET

DATE: OCTOBER 26, 2006

NUMBER OF PAGES (INCLUDING  
THIS TRANSMITTAL COVER SHEET): 5

SERIAL NUMBER: 10/753,270

OUR REFERENCE: 225265

TO: U. S. PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231

TELEPHONE NUMBER:

FACSIMILE NUMBER: 571-273-8300

FROM: DAVID M. AIRAN  
REGISTRATION NUMBER: 38,811

Message: **NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Patent Application No. 10/753,270  
Applicant: Feygenson et al.  
Filed: January 8, 2004  
TC/AU: 3629  
Examiner: Traci L. Smith  
Docket No.: 225265  
Customer No.: 23460

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application No. 10/753,270

Applicant: Feygenson et al.

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Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE  
EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed July 27, 2006, rejecting the following claims: 16-19 and 21-32.

**1. Pre-Appeal Brief Request for Review**

A "Pre-Appeal Brief Request for Review" is ☐ filed concurrently herewith or ☒ is not being filed.

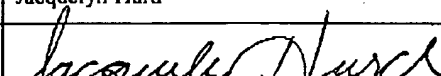
**2. Status of Applicants**

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

**3. Fee for Filing Notice of Appeal**

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Notice of Appeal Fee due \$500.00

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571)273-8300.			
Name (Print/Type)	Jacquelyn Hurd		
Signature		Date	October 26, 2006

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01 FC:1401 500.00 DA

OCT 26 2006

Application No. 10/753,270

Notice of Appeal

4. Extension of Time

- ☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$ 0.00

5. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$ 500.00
Extension Fee (if any)	\$ 0.00

Total Fee Due: \$500.00

6. Fee Payment

- ☐ Attached is a check in the sum of \$ .
- ☐ Charge Account No. 12-1216 the sum of \$ . A duplicate of this transmittal is attached.

7. Fee Deficiency

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



David M. Airan, Reg. No. 38,811  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza  
180 North Stetson Ave., Suite 4900  
Chicago, Illinois 60601-6731  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: October 24, 2006